

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7029

BILL NUMBER: SB 439

DATE PREPARED: Jan 7, 2002

BILL AMENDED:

SUBJECT: County Ditch Maintenance Permits.

FISCAL ANALYST: Bernadette Bartlett

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FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that the Department of Natural Resources must issue a county drainage board a permit for the reconstruction or maintenance of a regulated drain within 150 days after a complete request is submitted to the Department. The bill allows the Department to make recommendations to the county drainage board. It provides exemption from certain permit requirements for all reconstruction or maintenance projects on a stream or an open regulated drain, regardless of the length of the stream or open drain. (Under current law, the exemption applies only if the total length of the stream or open drain is not more than ten miles.) The bill also repeals the definition of "total length" in reference to the length of a stream. It also makes certain other changes.

Effective Date: July 1, 2002.

Explanation of State Expenditures: The proposal requires the Department of Natural Resources to approve a permit within 150 days after the request is deemed complete by the Department. The bill also deletes a provision that required the Department to publish a public notice if a permit was refused. Additionally, the bill provides exemptions from certain permit requirements. These provisions will affect expenditures of the Department. The impact is indeterminable.

Explanation of State Revenues: The bill provides exemption from certain permit requirements for all reconstruction or maintenance projects on a stream or an open regulated drain, regardless of the length of the stream or open drain. This provision could affect the number of required permits. A change in the number of permits issued would affect revenue collected for the permit. Permit applications are assessed a \$25 fee. Revenue from the fee is deposited into the Land and Water Resources Fund which is used to fund operations of the Department's Division of Water.

Explanation of Local Expenditures: Providing that permits must be approved within 150 days may expedite expenditures at the local level to the extent that permits will be deemed approved at the latest at the 150-day

mark at which time local units will be able to begin reconstruction or maintenance.

Explanation of Local Revenues:

State Agencies Affected: Department of Natural Resources.

Local Agencies Affected: County Drainage Boards.

Information Sources: